

REMARKS

The applicant respectfully requests reconsideration in view of the amendment and the following remarks. Support for amended claims 1 and 27 can be found in claim 5. The applicant has cancelled claim 5 and change the dependencies for the dependent claims that depend upon claim 5. In addition, the applicant has corrected claims 1 and 31 to clearly indicate that the applicant intended open language “comprising”.

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 29 and 30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 29 and 30 were also rejected under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of claim 1. Claims 1, 3 and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by Jamas et al. (U.S. 4,992,540) (“Jamas ‘540”). Claims 1, 3, 11, 26-30 and 36-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jamas et al. (Jamas ‘540) in view of Jamas et al. (U.S. 5,032,401) (“Jamas ‘401”). The applicant respectfully traverses these rejections.

35 U.S.C. §112, Second Paragraph Rejection

Claims 29 and 30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 29 and 30 were also rejected under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of claim 1.

The applicant has corrected claim 1 to clearly indicate that the applicant intended open language “comprising”. Therefore, dependent claims 29 and 30 are now in

compliance with 35 U.S.C. §112, second paragraph. For the above reasons, this rejection should be withdrawn.

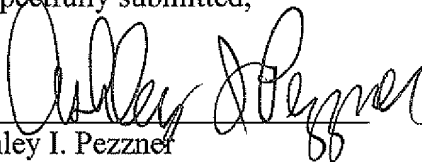
Prior Art Rejections

Claims 1, 3 and 26 are rejected under 35 U.S.C. §102(b) as being anticipated by Jamas '540. Claims 1, 3, 11, 26-30 and 36-38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jamas '540 in view of Jamas '401. In order to expedite prosecution the applicant has incorporated the feature of allowable claim 5 "wherein said linear polysaccharide is 1,4- α -D-polyglucan" into the independent claims 1 and 31. For the above reasons, this rejection should be withdrawn.

In view of the above, consideration and allowance are respectfully solicited.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 08196-00017-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 
Ashley I. Pezzner

Registration No.: 35,646

CONNOLLY BOVE LODGE & HUTZ LLP
1007 North Orange Street
P.O. Box 2207
Wilmington, Delaware 19899

(302) 658-9141
(302) 658-5614 (Fax)
Attorney for Applicant